

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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THIS DOCUMENT RELATES TO ALL CASES

**APPLICATION OF MICHAEL GOETZ  
FOR APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE**

Pursuant to Paragraph 19 of Pretrial Order No. 1, the undersigned, Michael Goetz, makes his Application to the Court for Appointment to the Plaintiffs' Steering Committee and, in support, states as follows:

I am a partner in the nationally-known law firm of Morgan & Morgan, P.A. and head of the firm's Mass Tort Section. Morgan & Morgan is the largest exclusively plaintiffs' law firm in the state of Florida and one of the largest in the United States, employing nearly 200 lawyers and 900 support staff who populate 15 offices in Florida, Georgia, Mississippi, Tennessee, and New York. While our Mass Tort Section draws its expertise from 12 dedicated trial attorneys supported by skilled paralegals, investigators, and state-of-the-art technology, our Section has the benefit of the experience and commitment of the entire firm.

My firm currently represents, either solely or in conjunction with co-counsel, almost 500 women from around the country suffering from the adverse effects of pelvic repair mesh manufactured by all four major manufacturers. We are speaking with new potential clients every day. I have personally met and spoken with dozens of affected women and have developed a profound appreciation of the severe physical and emotional suffering they continue to endure. Many of these unfortunate women were told by their doctors for years that "your pain is all in your head." Now, many of our clients have faced multiple (often unsuccessful) surgeries leaving them with intense pain and in a significantly worse position than when they began treatment. This, coupled with the difficulty of identifying skilled physicians willing to get involved in their care, have left these women with crumbling spousal relationships, difficulty performing on the job, and intense embarrassment. I have listened intently to our clients and feel well-positioned to

give them a strong voice in these proceedings, which will provide a benefit to the MDL in general.

I currently oversee the representation of thousands of clients in mass tort matters throughout the country, including clients with filed cases in most active pharmaceutical and medical device MDLs. I am well-experienced in the workings of multidistrict litigation and I am knowledgeable of the provisions and principles contained in the *Annotated Manual for Complex Litigation – Fourth*. I also have significant common benefit involvement in litigations in which members of our firm have been appointed to Plaintiffs' Steering Committee ("PSC") positions, including BP Oil Spill (MDL No. 2179), Apple iPhone (MDL No. 2116), Denture Cream (MDL No. 2051), Chinese Drywall (MDL No. 2047), Bayer Combination Aspirin (MDL No. 2023), and Heparin (MDL No. 1953). In addition, I currently hold personal appointments and serve on the PSC for Total Body Formula (MDL No. 985), as well as on PSC committees for Chinese Drywall (Co-Chair of Public Relations Committee), Yaz (MDL No. 2100, member of Discovery Committee), and DePuy ASR (MDL No. 2197, member of Science Committee). Because many of these cases are mature or in a settlement mode, I have the opportunity to devote as much time and energy as necessary to pursue this pelvic repair mesh litigation to its conclusion and I am firmly committed to doing so.

During the past eight months, I have met or spoken with most of the plaintiffs' counsel actively engaged in this case to discuss issues such as evidence preservation, retention of experts, and organization of this multifaceted litigation. Having worked closely in the past with many of the other leading lawyers in this case, I am confident in my ability to work efficiently and professionally with my colleagues around the country for the common benefit of all plaintiffs. In that regard, I have reviewed *Plaintiffs' Proposed Counsel Organizational Structure* submitted to the Court in MDLs 2325, 2326, and 2327 and I join in the recommendation to the Court that this well-reasoned plan be accepted.

With regard to my professional background, I earned a B.A. degree *magna cum laude* from Emory University in 1989. Thereafter, I attended the University of Florida College of Law where I graduated with honors in 1992. From 1992 to the present, I have been a member in good standing of the Florida Bar and admitted to practice in the United States District Court for the Middle District and Southern District of Florida. I have spent the vast majority of my practice working in the areas of personal injury and products liability, initially as a defense lawyer at the law firm of Holland & Knight LLP, where I was involved in multidistrict cases, including

Orthopedic Bone Screw (MDL No. 1014) and Bridgestone/Firestone (MDL No. 1373). I have an AV Preeminent Peer Review Rating by Martindale-Hubbell and have been designated in multiple, successive years by *Florida Trend's Magazine* as a "Florida Legal Elite" in the field of Civil Trial, and by *Law & Politics Magazine* as a Florida "Super Lawyer" in the field of Class Action/Mass Torts. Additionally, I am an active member of the American Association for Justice, The National Trial Lawyers, the Florida Justice Association, and the Hillsborough County Bar Association. I am frequently invited as a speaker to attorney education conferences around the country related to pharmaceutical and medical device litigation, including those sponsored by Mass Torts Made Perfect, the premier sponsor of mass tort seminars for plaintiffs' attorneys.

My firm and I are fully and unequivocally committed to this case. There is no question that service on this PSC will be extremely time-consuming and will require substantial monetary contributions. I am prepared to personally devote the time and energy expected by the Court so as to make meaningful and significant contributions to this litigation. My firm, moreover, is prepared to support me in this endeavor and to devote all necessary staffing and financial resources to vigorously prosecute this case. Overall, the formidable financial resources of Morgan & Morgan, combined with my relevant experience, my pledge of time and energy, and my proven track record for working professionally and collaboratively with my peers, will allow me to ably serve - personally and actively - as a member of the PSC. Further, I believe my membership would benefit both the Court and the efficient resolution of this case.

Dated: March 30, 2012

Respectfully Submitted,

/s/ Michael Goetz

Michael Goetz, Esq.

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

By: /s/ Michael Goetz